

**UNITED STATES DISTRICT COURT  
WESTERN DISTRICT OF LOUISIANA  
MONROE DIVISION**

**UNITED STATES OF AMERICA**  
**VERSUS**  
**KERRY D. GAYFIELD (01)**

CRIM. ACTION NO. 3:24-00032-01

**JUDGE TERRY A. DOUGHTY**

**MERRILL D. GAYFIELD (01) MAG. JUDGE KAYLA D. MCCLUSKY**

**REPORT AND RECOMMENDATION ON**  
**FELONY GUILTY PLEA BEFORE THE UNITED STATES MAGISTRATE JUDGE**

Upon reference of the District Court pursuant to 28 U.S.C. § 636(b), and with the written and oral consent of the Defendant, this cause came before the undersigned U. S. Magistrate Judge on April 19, 2024, for administration of guilty plea and allocution of the Defendant Kerry D. Gayfield under Rule 11 of the Federal Rules of Criminal Procedure. Defendant was present with his counsel, Ms. Betty Marak.

After said hearing, it is the finding of the undersigned that the Defendant is fully competent, that his plea of guilty is knowing and voluntary, and his conditional guilty plea to Count One of the Indictment, is fully supported by a written factual basis for each of the essential elements of the offense. In addition, both the Government and the Defendant have waived their right to object to the report and recommendation. Accordingly,

IT IS RECOMMENDED that the District Court ACCEPT the conditional guilty plea of the Defendant Kerry D. Gayfield in accordance with the terms of the plea agreement filed in the record of these proceedings, and that Kerry D. Gayfield be finally adjudged guilty of the offense charged in Count One of the Indictment, reserving his right to appeal the adverse ruling on his motion to dismiss.

IT IS FURTHER RECOMMENDED that the District Court ACCEPT Defendant's agreement to forfeit and abandon any claim, right, title, or interest he may have in the firearm(s).

referenced in the Indictment and/or seized in this matter.

IT IS FURTHER RECOMMENDED that, pursuant to the parties' waiver of their right to object, that the District Court immediately adopt the report and recommendation without passage of the requisite delays.

In Chambers, at Monroe, Louisiana, on this 19th day of April, 2024.

  
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KAYLA DYE MCCLUSKY  
UNITED STATES MAGISTRATE JUDGE